

REMARKS

In response to the restriction of invention request in paragraph 1 of the June 4, 2003 Office Action, Applicant provisionally elects Group I, claims 1-7 and 20-25, directed to a method of assembling batteries. This confirms the provisional election made by Mr. Peter Jansen during a telephone conversation with the Examiner on 5/6/2003. Applicant cancels claims 8-19 of non-elected Group II, but hereby reserves the right to file a divisional application directed toward the non-elected subject matter.

In response to the Notice of Non-Responsive Amendment of the May 19, 2004 Office Action, Applicant includes a complete listing of every claim ever presented in the above-noted application, indicating the current status of each claim. Applicant believes this Amendment A is now fully responsive to the June 4, 2003 Office Action.

In the Office Action, claims 2, 5, 6 and 20-25 were rejected as being indefinite, claims 1 and 3 were rejected as being anticipated by Shannon, et al., U.S. 5,885,731, claims 2, 4 and 20-22 were rejected as being obvious over Shannon, et al. in view of EP 583021 A. Claim 7 was objected to as being dependent from a rejected base claim but would be allowable if rewritten in independent form and claims 5, 6 and 23-25 would be allowable if rewritten to overcome the 112 rejections and to include all the limitations of the base claim and intervening claims. Applicants gratefully acknowledge that the Examiner indicated in the Office Action that claims 5-7, and 23-25 have allowable subject matter. Claims 1, 2, 4, 5, 7, 20, 22, 23, and 25 are amended by this

Amendment, and claims 3, 8-19, and 21 are cancelled. Claims 1, 2, 4-7, 20, and 22-25 will be pending in this application.

Claim 1 has been amended to include the limitations of claim 3, and claim 20 has been amended to include the limitations of claim 21. It is respectfully submitted that Shannon, et al. does not teach the step of heating the plate lugs of the battery plates with a heating station before insertion into molten plate straps. Moreover, this step is not taught by EP 583021 A. Accordingly, claim 1, as amended, is not anticipated by Shannon, et al. and claim 20, as amended, is not obvious over Shannon, et al. in view of EP 583021 A. Claims 2 and 4 depend from claim 1 and claim 22 depend from claim 20. Accordingly, claims 2, 4 and 22 are allowable also.

Claims 5, 7, 23 and 25 have been amended to place them in independent form and, thus, are now in position for allowance also. Claim 6 is dependent from claim 5 and claim 24 is dependent from claim 23 so claims 6 and 24 are now allowable also.

For the foregoing reasons, it is submitted that claims 1, 2, 4-7, 20 and 22-25 are now all distinguishable over the prior art and it is requested that they be allowed and the application pass to issue.

Applicants also filed a Power of Attorney by Assignee of Entire Interest, Revocation of Prior Powers and Permits to Inspect, Change of Correspondence Address and Certificate Under 37 CFR §3.73(b) on February 11, 2004. **By that paper, the correspondence address for the above-noted application was**

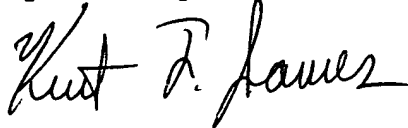
changed to Customer Number 321 for all purposes, including all notices, receipts, refunds, and all other communications.

CONCLUSION

A check in the amount of \$172.00 is enclosed for payment of claims rewritten in independent form.

The Commissioner is hereby authorized to charge any deficiency or overpayment of the required fee to Deposit Account No. 19-1345.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kurt F. James". The signature is fluid and cursive, with the first name "Kurt" being more prominent.

Kurt F. James, Reg. No. 33,716
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Attachments